

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WARREN PHILLIPS,

Plaintiff

v.

DOTTY'S STATION CASINO, et al.,

Defendants

Case No.: 2:21-cv-02012-APG-EJY

**Order Accepting Report and
Recommendation**

[ECF Nos. 4, 6]

On January 19, 2022, Magistrate Judge Youchah recommended that I dismiss this matter for lack of subject matter jurisdiction, without prejudice to plaintiff Warren Phillips pursuing his claims in state court. ECF No. 6. Phillips did not object. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo determination of those portions of the report or specified proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings and recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Youchah’s report and recommendation (ECF No. 6) is accepted, and this case is dismissed without prejudice to plaintiff Warren Phillips filing his claims in state court. The clerk of court is instructed to close this case.

DATED this 11th day of February, 2022.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE